

## Pharmacy Business Ownership Bill 2023

**Submission No:** 47  
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**Publication:**  
**Attachments:**  
**Submitter Comments:**

Committee Secretary  
Economics and Governance Committee  
Parliament House  
George Street  
Brisbane Qld 4000

18/01/2024

Via: [EGC@parliament.qld.gov.au](mailto:EGC@parliament.qld.gov.au)

Dear Sir/Madam,

**RE: Committee inquiry into the Pharmacy Business Ownership Bill 2023**

As a Queensland-based pharmacy owner, I wish to express my apprehensions regarding certain aspects of the Pharmacy Business Ownership Bill 2023. The following issues have been identified, along with proposed changes for your consideration:

## 1. Definition of Core Pharmacy Services (Clause 8(3))

### Issues:

The existing Bill inadequately defines pharmacy services. Many aspects of pharmacy services are not considered core services but are not listed in this bill.

The narrow definition limits services to dispensing and compounding, overlooking the comprehensive role of pharmacists, including providing advice on medications.

A restricted definition hampers the Bill's ability to address external control of pharmacy services (Clause 22).

### Proposed Change:

Broaden the definition of 'core pharmacy services' to 'pharmacy services' that encompass health services, dispensing, supply, prescribing, selling, administering, repackaging, compounding, possessing, disposing of medicines, and providing clinical services or advice, either at licensed premises or through digital platforms.

## 2. Definition of a Supermarket (Clause 11(3))

## Issues:

The current definition fails to capture the potential rise in online supermarket businesses.

Inclusion of 'premises' ties the concept to physical locations, neglecting the growing online marketplace.

## Proposed Change:

Adopt the definition of a supermarket as a premises or online store primarily used for selling a range of food, beverages, groceries, and other domestic goods.

## 3. Material Interest in a Pharmacy Business (Clause 13)

### Issues:

The definition of a material interest is inadequate and inconsistent with other jurisdictions.

Failure to appropriately define a material interest may exclude certain interests from being deemed unlawful.

Many of the larger pharmacy groups currently operate outside the intention of the pharmacy ownership laws through varying agreements. These must be considered when determining material interests.

### Proposed Change:

Amend the definition to include the terms 'legal' and 'beneficial,' specifying that any interest, legal or beneficial, in the business, other than an owner's interest, may be deemed a material interest.

## 4. Matters Relating to the Queensland Pharmacy Business Ownership Council (Clauses 147, 150, 153, 207)

### Issues:

Lack of a mandatory requirement to list the register of licensed pharmacy businesses on the council's website. With the responsibility the pharmacy owners have to their community they details must be available to link to each operating pharmacy.

The council's function must not be diluted by involvement in the functions of other Acts.

The current composition of council membership may be skewed, requiring a majority of pharmacy business owner members.

Absence of limits on the number of terms a council member can serve.

## Proposed Changes:

Amend Clause 207(5) to mandate the council to publish the register information on its website.

Clarify the functions of the council under Clause 147(1)(g).

Ensure a majority of pharmacy business owner members in Clause 150(4).

Introduce a limit of two terms for council member reappointment in Clause 153(2).

Thank you for considering these proposed changes. I believe these adjustments will contribute to a more effective and equitable implementation of the Pharmacy Business Ownership Bill 2023.

Yours sincerely,

Ben Wishaw

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